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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,691	02/23/2004	Stephen Anderson	60001.0392US01/300316.01	1343
27488 7590 12/07/2009 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				
EXAMINER				
TODD, GREGORY G				
ART UNIT		PAPER NUMBER		
2457				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,691

Applicant(s)

ANDERSON ET AL.

Examiner

GREGORY G. TODD

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/226)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to applicant's amendment filed, 21 September 2009, of application filed, with the above serial number, on 23 February 2004 in which claims 1, 5-9, and 12-21 have been amended. Claims 1-21 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (hereinafter "Bates", 6,807,566) in view of Ogilvie et al (hereinafter "Ogilvie", 6,757,713).

As per Claim 1, Bates teaches a method for deleting threads from a discussion group comprising a plurality of posts, the method comprising:

determining whether at least one user has read at least one post within a thread (at least Fig. 2; col. 5:10-24; 5:47-6:7; events, any message posting/ feedback from user);

determining whether at least one user has rated the at least one post within the thread as useful (at least col. 5:10-24; 5:47-6:7; positive feedback);

if the at least one user has rated at least one post as useful, retaining the thread (at least col. 5:47-6:7; positive feedback adjusting message rating, displaying only those above a threshold);

determining if the at least one user has read at least one post and not rated the at least one post (at least col. 7:47-55; neutral feedback adjusting message rating, displaying only those above a threshold) and

if the at least one user has rated at least one post as not useful, deleting the thread (at least col. 5:10-24; 5:47-6:7; retaining and displaying messages having a rating above a threshold).

Bates fails to explicitly teach retaining the thread if at least one user has read at least one post and not rated the at least one post. However, the use and advantages for using such a system is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Ogilvie. Ogilvie teaches various message deletion schemes, wherein messages and groups of messages are deleted automatically after a period of time when indicated as unwanted, as well as retaining messages for a period of time after being opened/read (at least col. 6:15-20,43-54; also, chat rooms/ messages, not emails: col. 7:65, col. 4:63-5:5; groups col. 14:47-55). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Ogilvie's time based message deletion system with Bates' selective post display, as Ogilvie teaches such message deletion is advantageous to cut down on the burden of large volumes of messages (col. 2:15-27) and also that messages are retained for a period of time after being opened and read.

Combined with Bates' message rating adjustment based on neutral feedback, it would be obvious that such message rating adjustment would be treated as positive as the user at least opened and read the message rather than indicating it as being unwanted for not even opening the message, as well as it being obvious because the substitution of Ogilvie's deletion for storage space purposes for Bates' non-displaying would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Bates teaches an event occurring from a user, wherein the event can include positive or negative feedback or comments (col. 6:4-7, 25-30, 45-48; col. 2:59-60) to a post. Bates fails to explicitly teach providing a message to the at least one user inquiring whether the at least one post was useful to the at least one user. Ogilvie also teaches a user providing feedback of a negative message by clicking on a 'remove from mailing list' box or button (col. 14:63-15:6). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Ogilvie's button/message to indicate feedback with Bates' feedback as this would allow the user to more easily click a button to give feedback rather than fully posting comments to indicate feedback, and as Bates suggests such comments and feedback being separate. Further, it would simply be a design choice to display a message or buttons requesting the user to rate the message as opposed to providing such positive or negative comments as Bates teaches, and that one would be motivated to have such feedback be that of Ogilvie's system of clicking a button or box as this would be easier and quicker for the user.

As per Claim 2. The method of claim 1, further comprising setting a delete date associated with the thread to a predetermined value (at least Bates col. 7:47-56; message past certain amount of time).

As per Claim 3. The method of claim 2, wherein retaining the thread comprises resetting the delete date of the thread to the predetermined value (at least Bates col. 5:10-24; 5:47-6:7; retaining and displaying messages having a rating above a threshold with col. 7:47-56; adjusted rating according to time).

As per Claim 4. The method of claim 3, wherein retaining the thread comprises leaving the delete date of the post unchanged (at least Bates col. 5:10-63).

As per Claim 5. The method of claim 3, wherein deleting the thread comprises: determining whether the delete date of the at least one post is equal to a current date; and deleting the thread if the delete date is equal to the current date (at least Bates col. 7:47-56; stale and not displayed).

As per Claim 6. The method of claim 1, wherein determining whether the at least one user has rated at least one post within the thread, comprises: storing a rating value in a field associated with the at least one post (at least Bates Fig. 2, #206); and determining whether the at least one user has affirmatively rated the at least one post as positive (at least Bates col. 6:1-40; positive feedback rating).

As per Claim 7. The method of claim 6, further comprising determining whether the rating field has a value indicative of a positive response, wherein determining whether the rating field has a value indicative of a positive response comprises:

determining whether the at least one user opened the at least one post (at least Bates col. 6:1-40; any comment or response); and

storing a positive value in the rating field associated with the at least one post (at least Bates Fig. 2, #206; col. 6:1-40; positive feedback rating).

As per Claim 8. The method of claim 7, wherein determining whether the rating field has the value indicative of the positive response further comprises:

determining whether the at least one user provided the positive response in response to the message inquiry whether the at least one post was useful (at least Bates col. 6:1-40; positive feedback rating).

As per Claim 9. The method of claim 2, wherein setting the delete date to the predetermined value comprises:

determining a type of the thread (at least Bates col. 5:61-7:34; event querying);

if the thread is a first type then setting the delete date of the thread to a first predefined value (at least Bates col. 5:61-7:34);

if the thread is a second type then the setting the delete date of the thread to a second predefined value (at least Bates col. 5:61-7:34),

wherein the first predefined value is less than the second predefined value (at least Bates col. 5:61-7:34).

As per Claim 10. The method of claim 9, wherein the first type of thread comprises at least one of Question/Answer-type thread and Feedback-type threads (at least Bates col. 6:1-7:34; message board).

As per Claim 11. The method of claim 9, wherein the second type of thread comprises a

General Comment-type post (at least Bates col. 6:1-7:34; eg. content on message board).

As per Claim 12. The method of claim 1, further comprising:
displaying each post and a rating for each post on a display device (at least Bates Fig. 2, #206; col. 5:10-63; display).

Claims 13-21 do not, in substance, add or define any additional limitations over claims 1-12 and therefore are rejected for similar reasons.

Response to Arguments

4. Applicant's arguments filed 21 September 2009 have been fully considered but they are not persuasive.

Applicant argues Bates and Ogilvie do not teach providing a message to the at least one user inquiring whether the post was useful to the user. However, Bates teaches an event occurring from a user, wherein the event can include positive or negative feedback or comments (col. 6:4-7, 25-30, 45-48; col. 2:59-60) to a post. Ogilvie also teaches a user providing feedback of a negative message by clicking on a 'remove from mailing list' box or button (col. 14:63-15:6). Thus, the use of Ogilvie's button/message to indicate feedback with Bates' feedback would allow the user to more easily click a button to give feedback rather than fully posting comments to indicate feedback, and as Bates suggests such comments and feedback being separate. Further, it would simply be a design choice to display a message or buttons requesting the user to rate the message as opposed to providing such positive or negative

comments as Bates teaches, and that one would be motivated to have such feedback be that of Ogilvie's system of clicking a button or box as this would be easier and quicker for the user.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Previously cited Smith et al, Rose et al, Elken, Anderson, Omoigui, Willis, Ginn, and Suzuki are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art references for relevant teachings when responding to this office action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **GREGORY G. TODD** whose telephone number is

(571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. G. T./
Examiner, Art Unit 2457

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457